

and 11 have been amended to change their dependency from cancelled claim 7 to new claim 16. Claim 10 has also been amended to clarify the recitation of the invention by adding the limitation that the body portion of the inverted knuckle yoke is disposed on only one side” of the longitudinal axis of the axle beam. Support for this amendment can again be found throughout the specification and drawings including Figures 1-2. Applicants respectfully submit that none of the amendments add any new matter.

### **III. NEW CLAIMS**

New claim 16 is similar in scope to original claim 1 with the addition of the limitation of “a spindle assembly rotatably mounted on said kingpin.” New claims 17-19 recite additional limitations of the spindle assembly. Support for the new limitations found in new claims 16-19 can be found through the specification and drawings including in Figure 2 and in paragraphs 13 and 16-20. New claim 20 is substantially similar to original claim 2. Applicants respectfully submit that none of the new claims add any new matter.

### **IV. REJECTION OF CLAIMS 4, 9 AND 13 UNDER 35 U.S.C. § 112 ¶ 2**

Claims 4, 9, and 13 stand rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite.

Applicants have cancelled claims 4, 9, and 13. Accordingly, Applicants submit that the rejection has been rendered moot.

### **V. REJECTION OF CLAIMS 1-2, 4-7, AND 9-11 UNDER 35 U.S.C. § 102(E) AND CLAIMS 3, 8 AND 12-15 UNDER 35 U.S.C. § 103(A)**

Claims 1-2, 4-7, and 9-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hurlburt et al. (U.S. Patent No. 6,267,198). Claims 3, 8 and 12-15 stand

rejected as being unpatentable over Hurlburt et al. Applicants have cancelled claims 4-5, 7, 9, and 12-15, amended claims 1, 8, and 10-11, and added new claims 16-20.

Applicant respectfully submits that the rejections of claims 1-3, 6, 8 and 10-11 under 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a) have been overcome and that new claims 16-20 are also patentable over Hurlburt et al. because Hurlburt et al. does not disclose or suggest all of the limitations recited in the claims as amended. In re Paulsen, 30 F.3d 1475, 1478-79, 31 U.S.P.Q.2d 1671 (Fed. Cir. 1994); Verdegaal Bros. v. Union Oil Co. of California, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1997) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”); MPEP § 2143 (“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.”).

Independent claim 1 recites a steer axle assembly including an axle beam disposed about a longitudinal axis and an inverted knuckle yoke having a body portion that is coupled to an external surface of the axle beam and “is disposed on only one side of said longitudinal axis of said axle beam.” Independent claim 16 recites a steer axle assembly including an axle beam disposed about a longitudinal axis and an inverted knuckle yoke having a body portion that is coupled to an external surface of the axle beam and first and second arms configured to receive a kingpin and “a spindle assembly

rotatably mounted on said kingpin”. Applicants respectfully submit that Hurlburt et al. does not disclose or suggest a steer axle assembly meeting the above-recited limitations.

Hurlburt et al. discloses a steer axle assembly for a combine. The steer axle includes a telescoping axle beam 21, 22 and an inverted knuckle yoke 40 mounted on each end of the axle. Figures 2-3. The yoke 42, however, is bolted to a mounting plate at the extreme end of each axle and projects outwardly therefrom. Id. As clearly illustrated in Figures 2-3, the body portion of the yoke cannot be said to be “disposed on only one side of said longitudinal axis of said axle beam” as recited in independent claim 1. Regardless of where the longitudinal axis of the axle beam 20 is drawn, the axis will extend through the body portion of yoke 40. The location of the inverted yoke in Applicants’ claimed invention is an improvement because it enables easier variation in the axle drop. Hurlburt et al. also fail to disclose or suggest a spindle assembly rotatably mounted to the kingpin as recited in independent claim 16. Rather, Hurlburt et al. disclose a spindle housing 43 that is coupled to the yoke 14 while the kingpin is moved forward of the spindle to allow improved turning radius. Figure 2 and col. 4, lines 17-32.

Because Hurlburt et al. does not disclose or suggest all of the limitations recited in independent claim 1, as amended, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. § 102(e) has been overcome and request that the rejection be withdrawn. Further, because Hurlburt et al. does not disclose or suggest all of the limitations recited in new independent claim 16, Applicants respectfully submit that claim 16 also recites patentable subject matter. Finally, because each of claims 2-3, 6, 8, 10-11 and 17-20 depend from one of the aforementioned independent claims, Applicants submit that the rejections of claims 1-3, 6, 8, and 10-11 under 35 U.S.C. § 102(e) and 35

U.S.C. § 103(a) has also been overcome and that claims 17-20 recite patentable subject matter.

## **VI. CONCLUSION**

For the above cited reasons, all of the claims presently pending in this application are believed to be allowable. If the Examiner has any further questions or concerns, the Examiner is invited to contact the Applicant's undersigned attorney.

Respectfully submitted,



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## AMENDED CLAIMS WITH MARKINGS TO SHOW CHANGES MADE

1. (Once Amended) A steer axle assembly, comprising:  
an axle beam disposed about a longitudinal axis; and,  
an inverted knuckle yoke having a body portion and first  
and second arms extending from said body portion, said first and  
second arms configured to received a kingpin;

wherein said body portion is coupled to an external surface  
of said axle beam and said body portion is disposed on only one  
side of said longitudinal axis of said axle beam.

8. (Once Amended) The assembly of claim [7] 16 wherein  
said body portion is welded to an external surface of said axle  
beam.

10. (Once Amended) The assembly of claim [7] 16 wherein  
said body portion is disposed on only one side of said  
longitudinal axis of said axle beam.

11. (Once Amended) The assembly of claim [7] 16 wherein  
said body portion extends from said axle beam in an outboard  
direction and at an angle to said longitudinal axis of said axle  
beam.

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